

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ANNA LYNN BROWN,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

Case No. 1:20-cv-00721-SAB

ORDER REQUIRING DEFENDANT TO FILE  
STATEMENT OF OPPOSITION OR NON-  
OPPOSITION TO PLAINTIFF'S MOTION  
FOR EXTENSION OF TIME TO SERVE  
OPENING BRIEF

(ECF No. 21)

FIVE DAY DEADLINE

On May 22, 2020, Anna Lynn Brown ("Plaintiff") filed this action seeking judicial review of a final decision of the Defendant Commissioner of Social Security ("Defendant" or "Commissioner") denying her application for disability benefits pursuant to the Social Security Act. On March 11, 2021, the day the opening brief was due, Plaintiff filed a motion for a sixty (60) day extension in order to file the opening brief in this action. (ECF No. 21.) The motion indicates that counsel is "asking for more time because due to some issues in January and February, I am now trying to catch-up on other pressing deadlines and cases." (Id.) The filing does not indicate whether Defendant opposes such request for an extension. (Id.) The Court shall order Defendant to submit a filing stating whether they oppose Plaintiff's motion.

The Court notes that in this action, Plaintiff has previously filed a motion for a sixty (60) day extension of time to file a confidential letter brief. (ECF No. 16.) In response to that earlier

1 motion, the Court also ordered Defendant to file a statement of opposition or non-opposition, and  
2 the Court ultimately granted a thirty (30) day extension, and notified the Plaintiff that, as stated  
3 in the scheduling order, the Court does not routinely grant modifications to the scheduling order  
4 outside of one stipulated thirty (30) day extension. (ECF Nos. 8 at 4; 17, 19.) The Court advises  
5 Plaintiff that the more prudent course of action is to meet and confer with the opposing party  
6 regarding an extension of time, and file a stipulated request for an extension if possible.

7 Accordingly, IT IS HEREBY ORDERED that Defendant shall file a statement indicating  
8 whether they oppose Plaintiff's motion for an extension of the briefing schedule within five (5)  
9 days of entry of this order.

10 IT IS SO ORDERED.

11 Dated: **March 12, 2021**

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14 UNITED STATES MAGISTRATE JUDGE  
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